



IFW: 20 1616

PATENT

Attorney Docket No. A-68448-3
Dorsey File No. 468901-00016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MEADE et al.

Serial No.: 10/693,252

Filing Date: October 24, 2003

For: *Functional MRI Agents for Cancer
Imaging*

Examiner: To Be Assigned

Art Unit: 1616

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on:

Dated: June 4, 2004

Signed: Careyna Peralta

Careyna Peralta

**INFORMATION DISCLOSURE STATEMENT
AND
STATEMENT OF RELATEDNESS**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO/SB/8A-B, Substitute for form PTO 1449. This application is a continuation-in-part of U.S. Application Serial No. 09/715,859, filed November 17, 2000 (now U.S. Patent No. 6,673,333). Applicant wishes to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO/SB/8A-B, Substitute for form PTO-1449, marked without an

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Filing Date: October 24, 2003

asterisk (*). Since these references were previously disclosed in the above-mentioned application, in accordance with 37 C.F.R. § 1.98(d), no copies of these references are enclosed.

Also, in accordance with the provision of 37 C.F.R. §§ 1.97(c), and 1.97(e)(1), the undersigned certifies that reference no. A49 listed on the enclosed form PTO/SB/8A-B, Substitute for Form PTO-1449, was cited in the International Search Report of PCT/US03/34044 dated April 30, 2004, for the counterpart PCT application. A copy of the International Search Report for the counterpart PCT application is enclosed herewith.

Further, in accordance with 1273 Off. Gaz. Pat. Off. 1, 8/5/2003, no copies of U.S. patents and U.S. published applications are enclosed.

With respect to patent applications, the applicants point out their duty under M.P.E.P. §2001.06(b) to disclose relevant patent applications of which they are aware. To this end, the applicants draw the Examiner's attention to the following patent applications:

1. U.S.S.N. 09/405,046, filed September 27, 1999;
2. U.S.S.N. 10/799,550, filed March 11, 2004; and
3. U.S.S.N. 10/789,840, filed February 27, 2004.

None of the foregoing references is believed to disclose the invention as claimed. Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

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As far as is known to the undersigned, this Information Disclosure Statement is being filed within three months of the filing date of a national application, within three months of the date of entry of the national state in an international application, or before the mailing date of a first Office Action on the merits as set forth in 37 C.F.R. § 1.97(b), and therefore no fee is required.

While no further fee is believed to be due, if this belief is in error, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 468901-00016 (A-68448-3)).

Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

Respectfully submitted,
DORSEY & WHITNEY LLP

Dated: 6/14/04
Dorsey & Whitney LLP
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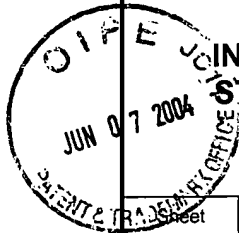
BY: 

Renee M. Kosslak, Reg. No. 47,717 for
Robin M. Silva, Reg. No. 38,304

Customer Number: 32940

Attachments:

Copy of International Search Report of PCT/US03/34044
Form PTO/SB/8A-B, Substitute for form PTO 1449
5 references



Substitute for form 1449A/PTO (Modified)		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/693,252
		Filing Date	October 24, 2003
		First Named Inventor	Meade et al.
		Art Unit	1616
		Examiner Name	To Be Assigned
		Attorney Docket Number	A-68448-3
Sheet	1	of	6

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Document Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	3,919,102	11-11-1975	Kühling et al.	
	A2	4,637,988	01-20-1987	Hinshaw et al.	
	A3	4,647,447	03-01-1987	Gries et al.	
	A4	4,678,667	07-07-1987	Meares et al.	
	A5	4,822,594	04-18-1989	Gibby	
	A6	4,837,169	06-06-1989	Toner	
	A7	4,877,872	10-31-1989	Morgan et al.	
	A8	4,885,363	12-05-1989	Tweedle et al.	
	A9	5,087,440	02-11-1992	Cacheris et al.	
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	A11	5,133,956	07-28-1992	Garlich et al.	
	A12 *	5,135,737	08-04-1992	Keana	
	A13	5,155,215	10-13-1992	Ranney	
	A14	5,188,816	02-23-1993	Sherry et al.	
	A15	5,219,553	06-15-1993	Kraft et al.	
	A16	5,230,883	07-27-1993	Komguth et al.	
	A17	5,256,395	10-26-1993	Barbet et al.	
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	A19	5,292,414	03-08-1994	Sessler et al.	
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	A23 *	5,338,532	08-16-1994	Tomalia et al.	
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	A26	5,407,657	04-18-1995	Unger et al.	
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	A30	5,446,145	08-29-1995	Love et al.	
	A31	5,466,438	11-14-1995	Unger et al.	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
¹Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English Language Translation is attached.
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Substitute for form 1449A/PTO
(Modified)

Complete if Known

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet **2** of **6**

Application Number **10/693,252**
Filing Date **October 24, 2003**
First Named Inventor **Meade et al.**
Art Unit **1616**
Examiner Name **To Be Assigned**
Attorney Docket Number **A-68448-3**

U.S. PATENT DOCUMENTS

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	A32	5,466,439	11-14-1995	Gibby et al.	
	A33	5,531,978	07-02-1996	Berg et al.	
	A34	5,554,748	09-10-1996	Sieving et al.	
	A35	5,565,552	10-15-1996	Magda et al.	
	A36	5,622,821	04-22-1997	Selvin et al.	
	A37 *	5,624,901	04-29-1997	Raymond et al.	
	A38 *	5,648,063	07-15-1997	Gries et al.	
	A39	5,672,334	09-30-1997	Ranney	
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	A41 *	5,874,573	02-23-1999	Winchell et al.	
	A42 *	5,892,029	04-06-1999	Raymond et al.	
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	A45	5,955,605	09-21-1999	Axworthy et al.	
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	A48 *	6,054,114	04-25-2000	Lansbury et al.	
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	A53 *	6,521,209 B1	02-18-2003	Meade et al.	
	A54 *	6,656,450 B2	12-02-2003	Hubin et al.	
	A55 *	6,673,333 B1	01-06-2004	Meade et al.	
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	A57 *	6,713,045 B1	03-30-2004	Meade et al.	
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	A59 *	2002/0098153 A1	07-25-2002	Allen et al.	
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	A61 *	2003/0004236 A1	01-02-2003	Meade	
	A62 *	2003/0053954 A1	03-20-2003	Meade et al.	

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<p>Substitute for form 1449A/PTO (Modified)</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(use as many sheets as necessary)</p>			Complete if Known		
			Application Number	10/693,252	
			Filing Date	October 24, 2003	
			First Named Inventor	Meade et al.	
			Art Unit	1616	
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Sheet	3	of	6	Attorney Docket Number	A-68448-3

U.S. PATENT DOCUMENTS					
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	A63 *	2003/0135108 A1	07-17-2003	Silva et al.	
	A64 *	2003/0198597 A1	10-23-2003	Meade et al.	
	A65				
	A66				

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ² Number ³ Kind Code ⁴ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	B1	CA 2139374	07-01-1995	Meyer et al.		
	B2	CA 2182686	08-10-1995	Schering Aktiengesellschaft		
	B3	CA 2197074	02-22-1996	Schering Aktiengesellschaft		
	B4	WO 90/12050 A1	10-18-1990	Salutar, Inc.		
	B5	WO 92/19264 A1	11-12-1992	University of New Mexico		
	B6	WO 94/03271 A1	02-17-1994	Smith-Kline Beecham PLC		
	B7	WO 94/04485 A1	03-03-1994	Mallinckrodt Medical Inc.		
	B8	WO 95/10217 A2, A3	04-20-1995	Mallinckrodt Medical Inc.		
	B9	WO 95/19185 A1	07-20-1995	Mallinckrodt Medical Inc.		
	B10	WO 95/19347 A1	07-20-1995	Mallinckrodt Medical Inc.		
	B11	WO 95/20353 A1	08-03-1995	Mallinckrodt Medical Inc.		
	B12	WO 95/27705 A1	10-19-1995	Bracco International		
	B13	WO 95/28966 A1	11-02-1995	Nycomed Imaging		
	B14	WO 95/31444 A1	11-23-1995	Bracco International		
	B15	WO 95/32741 A1	12-07-1995	Dibra S.P.A.		
	B16	WO 96/05167 A1	02-22-1996	Schering Aktiengesellschaft		
	B17	WO 96/23526 A2,A3	08-08-1996	Metasyn, Inc.		
	B18	WO 96/38184 A2,A3	12-05-1996	California Institute of Technology		
	B19 *	WO 97/00245 A1 ✓	01-03-1997	Regents of University of California		
	B20	WO 97/01360 A3	01-16-1997	Concat, Ltd.		

Examiner Signature	Date Considered
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FOREIGN PATENT DOCUMENTS						
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	B21	WO 97/21431 A1	06-19-1997	California Institute of Technology		
	B22	WO 97/32862 A1	09-12-1997	Bracco S.P.A.		
	B23	WO 97/36619 A2,A3	10-09-1997	Epix Medical, Inc.		
	B24	WO 99/21592 A1	05-06-1999	California Institute of Technology		
	B25	WO 99/25389 A2	05-27-1999	Research Corporation Technologies		
	B26	WO 99/59640 A2, A3	11-25-1999	Bracco International B.V.		
	B27	WO 01/08712 A2, A3	02-08-2001	Epix Medical, Inc.		
	B28	WO 01/52906 A2, A3	07-26-2001	Epix Medical, Inc.		
	B29	WO 01/82795 A2, A3	11-08-2001	Research Corporation Technologies		
	B30 *	WO 02/056670 A2 ✓	07-25-2002	The General Hospital		
	B31					
	B32					

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				T ⁶
	C1	AGUAYO et al., "Nuclear magnetic resonance imaging of a single cell," Nature, Letters to Nature, 07-10-1986, 322:190-191.				
	C2	ALEXANDER, "Design and Synthesis of Macrocyclic Ligands and Their Complexes of Lanthanides and Actinides," Chemical Review, 1995, 95:273-342.				
	C3	BORCH, R.F., et al., "The Cyanohydridoborate Anion as a Selective Reducing Agent," Journal of the American Chemical Society, 06-1971, 93(12):2897-2904.				
	C4	CHO, Z.H., et al., "Some Experiences on a 4µm NMR Microscopy," Book of Abstracts, Vol. 1, p.233, Society of Magnetic Resonance in Medicine, 6th Annual Meeting and Exhibition, August 17-21, 1987, New York City, NY., 08-1987, 1:233.				
	C5 *	COHEN, S.M, et al., "Synthesis and Relaxation Properties of Mixed Gadolinium Hydroxypyridinonate MRI Contrast Agents, Inorganic Chemistry, 2000, 39:5747-5756.				
	C6	GRYNKIEWICZ, G., et al., "A New Generation of Ca ²⁺ Indicators with Greatly Improved Fluorescence Properties," The Journal of Biological Chemistry, 1985, 260(6):3440-3450.				
	C7	HENNESSY, M.J., et al., "NMR Surface Coil Microscopy," Book of Abstracts, Vol. 2, p.461-462, Society of Magnetic Resonance in Medicine, 5th Annual Meeting and Exhibition, August 19-22, 1986, Montreal, Quebec, Canada., 08-1986, 2:461-462.				

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Sheet	5	of	6	Attorney Docket Number	A-68448-3

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Examiner Initials*	Cite No.†	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		†
	C8	HOULT, D.I., et al., "The Signal-to-Noise Ratio of the Nuclear Magnetic Resonance Experiment," Journal of Magnetic Resonance, 1976, 24:71-85.		
	C9	HUBIN et al., "Ultra rigid cross-bridged tetraazamacrocycles as ligands- the challenge and the solution," Chemical Communications, 1998, :1675-1676.		
	C10	HUBIN et al., "Crystallographic Characterization of Stepwise Changes in Ligand Conformations as Their Internal Topology Changes and Two Novel Cross-Bridged Tetraazamacrocyclic Copper(II) Complexes," Inorganic Chemistry, 1999, 38:4435-4446.		
	C11	HUBIN et al., "New Iron(II) and Manganese(II) Complexes of Two Ultra-Rigid, Cross-Bridged Tetraazamacrocycles for Catalysis and Biomimicry," Journal of the American Chemical Society, 2000, 122:2515-2522.		
	C12 *	HUBIN et al., "Topologically Constrained Manganese(III) and Iron(III) Complexes of Two Cross-Bridged Tetraazamacrocycles," Inorganic Chemistry, 2001, 40:435-444.		
	C13 *	HUBIN et al., "Potentiometric Titrations and Nickel(II) Complexes of Four Topologically Constrained Tetraazamacrocycles," Supramolecular Chemistry, 2001, 13:261-276.		
	C14	JACKELS, "Enhancement Agents for Magnetic Resonance and Ultrasound Imaging. Chapter 20: Enhancement Agents for Magnetic Resonance Imaging: Fundamentals," Pharm. Med. Imag., 1990, 20(3):645-661.		
	C15	JACOBS et al., "Magnetic Resonance Microscopy of Embryonic Cell Lineages and Movements," Science, 1994, 263:681-684.		
	C16	JOHNSON, G.A., et al., "MR Microscopy at 7.0 T," Works in Progress, Society of Magnetic Resonance in Medicine, Sixth Annual Meeting and Exhibition, August 17-21, 1987, New York City, NY, 08-1987, :23.		
	C17	LI et al., "A Calcium-Sensitive Magnetic Resonance Imaging Contrast Agent," Journal of the American Chemical Society, 1999, 121:1413-1414.		
	C18	MEADE, T.J. et al., "Hydrophobic, Regiospecific Guest Binding by Transition-Metal Host Complexes Having Permanent Voids as Revealed by FT-NMR Relaxation Studies," Journal of the American Chemical Society, 1986, 108:1954-1962.		
	C19	MEYER et al., "Advances in Macrocyclic Gadolinium Complexes as Magnetic Resonance Imaging Contrast Agents," Investigative Radiology, 09-1990, 25(1):S53-S55.		
	C20	MOATS et al., "A "Smart" Magnetic Resonance Imaging Agent That Reports on Specific Enzymatic Activity," Agnew Chemical International Edition England, 04-1997, 36(7):726-728.		
	C21	MOI, M.K., et al., "The Peptide Way to Macrocyclic Bifunctional Chelating Agents: Synthesis of 2- (p-Nitrobenzyl) - 1,4,7,10-tetraazacyclododecan- N, N', N'', N'''- tetraacetic Acid and Study of Its Yttrium(III) Complex," Journal of the American Chemical Society, 1988, 110(18):6266-6267.		
	C22	NIJHOF, E.J., et al., "High-Resolution Proton Imaging at 4.7 Tesla," Proceedings of Soc. Magn. Reson. Med., 1987, pg. 925.		
	C23	RUNGE, V.M., et al., "Future directions in magnetic resonance contrast media," Topics in Magnetic Resonance Imaging, 1991, 3(2):85-97.		
	C24	RUSSELL, E.J., et al., "Multicenter Double-Blind Placebo-Controlled Study of Gadopentetate Dimeglumine as an MR Contrast Agent: Evaluation in Patients with Cerebral Lesions," American Journal of Roentgenology, 04-1989, 152:813-823.		

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<p>Substitute for form 1449A/PTO (Modified)</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(use as many sheets as necessary)</p>			Complete if Known		
			Application Number	10/693,252	
			Filing Date	October 24, 2003	
			First Named Inventor	Meade et al.	
			Art Unit	1616	
			Examiner Name	To Be Assigned	
Sheet	6	of	6	Attorney Docket Number	A-68448-3

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
	C25	SHUKLA et al., "Design of Conformationally Rigid Dimeric MRI Agents," Magnetic Resonance in Medicine, 1996, 36(6):925-931.		
	C26	SILLERUD, L.O., et al., "Proton NMR Microscopy of Intact Multicellular Tumor Spheroids," Book of Abstracts, Vol. 1, p.468, Society of Magnetic Resonance in Medicine, 6th Annual Meeting and Exhibition, August 17-21, 1987, New York City, NY, 08-1987, 1:468.		
	C27	STAUBLI et al., "The Design and Synthesis of Fluorescently Detectable Magnetic Resonance imaging Agents for Embryonic Cell Lineage Analysis," American Chemical Society: Division of Inorganic Chemistry, 209th ACS National Meeting, Anaheim, California. Abstract No. 385 (April 2-6, 1995), 04-1995.		
	C28	TSIEN, R.Y. "New Calcium Indicators and Buffers with High Selectivity Against Magnesium and Protons: Design, Synthesis, and Properties of Prototype Structures," Biochemistry, 1980, 19(11):2396-2404.		
	C29	TWEEDLE, M.F., et al., "Considerations Involving Paramagnetic Coordination Compounds as Useful NMR Contrast Agents," Nuclear Medicine and Biology, 1988, 15(1):31-36.		
	C30	WEISMAN et al., "Cross-Bridged Cyclam. Protonation and Li+ Complexation in a Diamond-Lattice Cleft," Journal of the American Chemical Society, 1990, 112:8604-8605.		
	C31	WEISMAN et al., "Synthesis and transition-metal complexes of new cross-bridged tetraamine ligands," Chemical Communications, 1996, pp. 947-948.		
	C32	WONG et al., "Synthesis and Characterization of Cross-Bridged Cyclams and Pendant-Armed Derivatives and Structural Studies of Their Copper(II) Complexes," Journal of the American Chemical Society, 2000, 122:10561-10572.		
	C33			
	C34			
	C35			
	C36			
	C37			
	C38			
	C39			

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